

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

**RSA Plaza Suite 350
Montgomery, Alabama**

January 19, 2018

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 8:30 a.m. on Friday, January 19, 2018.

The following members were present: Cheryl Bailey, BSN, MBA, President; Valorie Dearmon, DNP, Vice-President; Victoria Hill, MSN, RN, Secretary; Francine Parker, EdD, MSN, RN; Natalie Baker, DNP, CRNP, FAANP; Gladys Davis Hill, MSN, RN; Cynthia Buford, LPN; Peggine Carpenter, BA, LPN; Richard Foote, RN, MSN, MA, CEN; Cherry Rodgers, LPN; Cara Floyd, LPN; Janice Seip, CRNA and Executive Officer, Peggy Benson, MSHA, MSN, NE-BC.

Staff members attending the meeting were: Cathy Boden, MSN, RN, Director-Probation Monitoring and Compliance; Dawn Daniel, MSN, RN, Director-Advanced Practice; Mary Ed Davis, RN, MSN, DNP, Director of Research and Graduate Student Placement; Honor Ingels, Chief Legislative and Information Officer; John Marc Glasscock, CFO; Alice Maples Henley, Deputy Attorney General/Counsel; Patrick Samuelson, Assistant General Counsel; Gail Hampton, Attorney; Amy Williams, Attorney; Joyce Jetter, RN, MSN, Director of Practice and Licensure; Brad Jones, IT Specialist; Tonya Smith, Executive Secretary/Recorder; Christie Mumford, RN, MSN, Compliance Nurse Consultant; Robert Rollins, IT Director; Abby Migliore, RN, MSN, Director of Discipline/Legal Nursing; LaDonna Patton, MSN, RN, CEN, Director Alabama Nursing Resource Center; Bernadette Powe, VDAP Director; Barbara Bartley, RN, BSN, MSCHD, Director of Leadership, Institute and Educational Services; Rachel Brazell, Probation Administrative Assistant; Teresa Williamson, Docket Clerk; Howard Kenney, Chief Investigator; Tcherlindra Tarranee, Special Investigator; Kevin Byrd, Special Investigator; Scott Nickerson, Special Investigator; Stephen Lavender, Special Investigator; Taylor Thomas, Legal Research Assistant and Maggie Williams, Director, Administrative Services.

Visitors attending the meeting were: Dr. Deborah M. Leveille, PhD, RN, CNL, Dean of Nursing at Fortis College, Montgomery, Alabama and Ms. Vanessa B. Prater, BSN, RN, Director Nurse Delegation Program at Alabama Department of Mental Health.

B. Oath of Office

On January 19, 2018, Ms. Bailey led members present in the Oath of Office. A written "Oath of Office" was provided to each Board Member for signature.

C. Declaration of Quorum

A quorum was declared with eleven Board members present on January 19, 2018.

D. Statement of Compliance with Open Meetings Act

Prior notice of meeting was posted on the Secretary of State's website in accordance with the Alabama Open Meetings Act.

E. Review of Agenda

1. Additions, Modifications, Reordering

None.

2. Adoption of Consent Agenda

The following were accepted on the Consent Agenda.

- II.A. November 16 & 17 2017 Board Meeting Minutes
- III.A. Board Action Follow-up
- VI.A.1. Executive Officer Report
- VI.A.2. FYI
- VI.A.3. Advisory Committee Report
- VI. C. Leadership Institute
- VI.D.1. General Counsel Report
- VI.D.2. Assistant General Counsel Report
- VI.D.3. Voluntary Disciplinary Alternative Program
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation/Compliance Monitoring Report
- VI E. Policy and Communications Report
- VI.F. ANRC Report
- VI.G. Research
- VI. H. Quality Measures Report
- VII.A. Education Report
- VII B. Education Program Deficiency Report
- IX. A. Advance Practice Report
- X.A. Continuing Education Report
- X.B. Licensure Report
- X.C. Practice Report

On January 19, 2018, Ms. Gladys Hill moved that the Board adopt the Consent Agenda. Dr. Baker seconded. Motion carried without objection.

3. Adoption of Agenda

On January 19, 2018, Ms. Floyd moved that the Board adopt the Agenda as amended. Dr. Baker seconded. Motion carried without objection.

II. REVIEW OF MINUTES

A. November 16 & 17, 2017 Board Meeting Minutes

The November 16 & 17, 2017 Board Minutes were accepted on the Consent Agenda

III. OLD BUSINESS/FOLLOW-UP

A. Board Action Follow-up

Ms. Benson report of the Board action follow-up was accepted, as information, on the Consent Agenda.

IV. BOARD PRESENTATION/DEVELOPMENT

A. Mark Wilkerson, ABN Hearing Officer

Mr. Mark Wilkerson, ABN Hearing Officer will present a presentation at the March 16, 2018 Board Meeting.

V. FINANCIAL REPORTS

1. Financial Report Board Review

Mr. Glasscock, Chief Fiscal Officer, provided a report of Revenues Expenditures Summary, revenues, and Expenditure Budget Comparison as of November and December 2017.

VI. REPORTS

A. Executive Officer

A written report outlining the Executive Officer's activities was accepted, as information, on the Consent Agenda.

1. Report

Pursuant to Alabama Board of Nursing Administrative Code Rule 610-X-8-.08. Ms. Benson accepted the voluntary surrender for revocation for each of the following Alabama nursing license.

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Smith, Mary Jane	2-046769	10/25/2017
Howell, Brandy M.	1-122288	10/30/2017
Maxwell, Brandy C.	1-095444	10/30/2017
Thomas, Amanda	1-137904	11/06/2017
	2-062896	11/06/2017
Rock, Melissa Kay	2-052216	11/06/2017
Barbee, Anita Charlene	1-125178	11/07/2017
Heald, Audie Denise	1-069878	11/13/2017
Calloway, Jr., Edgar Lamar	1-071194; CRNP	11/13/2017
Cassell, Candice Maxine	1-154366	11/29/2017
Cox, Steven Edwin	1-042662; CRNP	12/07/2017
	2-018374	12/07/2017
Cronier, Elizabeth Yougene	1-084308; CRNP	12/07/2017
	2-044163	12/07/2017
Kretschmer, Donna Lee	1-102020	12/08/2017
Akwuba, Lilian Ifeoma	1-103472; CRNP	12/12/2017
	2-050217	12/12/2017
Curry, Sandra Michelle	2-043044	12/14/2017

2. FYI

Ms. Benson provided the following items for the Boar's information:

- (1) a copy of the CNS update; (2) a PowerPoint of the Certification Exam 1st time writers by year and role, CNS, CRNA, CNP and CNM;
- (3) a copy of the Certification 2017; (4) a copy of the 2018 Awards Brochure; and (5) a copy of the Awards Program FAQs.

3. Annual Review Board member paperwork- Maggie Williams

Ms. Williams, gave a brief report on the Board Member Annual Review and paperwork renewal.

The Board Members reviewed and discussed the packet and completed updates as needed.

4. Action Plan CNO

Ms. Benson reported that in July 2017, as part of the new strategic plan for 2018-2022, the Board staff began a series of Chief Nursing

Officer listening groups to collaborate with nursing leadership, identify issues with practice, and assist in the identification of development of rules and regulations related to nursing. The Chief Nursing Officer listening groups have met and identified possible action items for consideration. A copy of the comprehensive action plan was given to each Board member to review, consider, and approve. If approved, the Board staff will work toward implementation.

The Board reviewed and discussed the Chief Nursing Officer comprehensive action plan.

On January 19, 2018, Dr. Dearmon moved that the Board approve the Comprehensive Chief Nursing Officer Action Plan developed from the Chief Nursing Officer Listening Groups. Mr. Foote seconded. Motion carried without objection.

5. Action Plan Advanced Practice

Ms. Benson reported that in July 2017, as part of the strategic plan for 2018-2022, the Board appointed APRN Advisory Councils to collaborate with board staff, identify issues with Advanced Practice, and assist in the development of rules and regulations related to advanced practice and implementation of the APRN Consensus Model. The councils/committees have met and identified possible action items for consideration. A copy of the comprehensive action plan for advanced practice nursing was presented to each Board member for review, consideration, and approval. If approved, the work of the advisory councils to implement the plan will begin.

The Board reviewed and discussed the Comprehensive Advanced Practice Action Plan.

On January 19, 2018, Dr. Baker moved that the Board approve the Comprehensive Advanced Practice Action Plan. Mr. Foote seconded. Motion carried without objection.

6. VDAP Program Analysis

Ms. Benson gave a brief report on the program outcomes related to the Voluntary Disciplinary Alternative Program (VDAP). A review of applicants accepted in the program was conducted to include a seven-year window (2010-2017). The completion rates, early release data, and disciplinary resolution data was included in the review.

The Board members reviewed, discussed and accepted the report.

7. Review Financial Analysis of late renewal fee

Ms. Benson reported that in 2001, the Board approved changes to the ABN Administrative Code 610-X-4-.10 and .14 to allow for a late renewal fee to encourage licensees to renew within the renewal period. Licensure fees have not increased in the past fifteen years (2003).

610-X-4.10

(1) Payment of current renewal and reinstatement fees, outstanding fees and fines.

610-X-4.14

(8) The following schedule of fees and charges apply:

- Late Renewal of RN or LPN license: \$150.00
- Reinstatement of Lapsed License: \$150.00

Each year during late renewal, the Board staff receives hundreds of calls related to the late renewal fee and dissatisfaction with paying a late fee during regular renewal window. This is a major dissatisfier and precludes nurses from counting CE earned in the full earning period (December) of a renewal period by requiring anyone who renews in December to pay the late fee.

The Board reviewed and discussed the late renewal, licensure fees, reinstatement fees, and the lapsed license fee analysis.

On January 19, 2018, Dr. Baker moved that the Board approve increasing renewal fee to 100.00 dollars to include adjusting the other licensee fees accordingly by the \$25.00 dollars, deleting late renewal period and the late renewal fee and leaving reinstatement of a lapsed license fee at \$150.00. Ms. Gladys Hill seconded. Motion carried without objection.

8. Consent Order Shell revision (reinstatement suspended license fee)

Ms. Benson reported that in 2001, the Board approved changes to ABN Administrative Code 610-X-4-.10 and .14 to allow for a reinstatement of a suspended license fee. This fee has been rarely utilized and typically only for those who suspend over a renewal period. By adding the change in language on the consent order shells going forward, the fee can be utilized for all suspended licenses.

610-X-4.10

(1) Payment of current renewal and reinstatement fees, outstanding fees and fines.

610-X-4.14

(8) The following schedule of fees and charges apply:

- Reinstatement of Suspended License: \$250.00

On January 19, 2018, Dr. Parker moved that the Board approve additional language to consent order shells to allow payment of reinstatement of suspended license fee as follows: "Payment of the reinstatement of suspended license fee and any other applicable fees". Dr. Baker seconded. Motion carried without objection.

9. NPAA Signature Authority Draft Bill

Ms. Benson reported that the Nurse Practitioner Alliance of Alabama (NPAA) in September met with the Alabama Board of Nursing Executive Officer and Nurse Consultant for Advanced Practice to discuss the development of a draft bill for Signature Authority for collaborative practice. Recommendations were made to the Nurse Practitioner Alliance of Alabama (NPAA) group to hopefully facilitate passage of the bill. The Board has sent previous letters of support to the AHSAA for CRNP's to be allowed to provide this service. The draft bill was included for review and consideration. If approved the EO will send letters of support to state legislators and others as needed.

On January 19, 2018, Dr. Baker moved that the Board should support and send letters of support for the Nurse Practitioner Alliance of Alabama (NPAA) Draft Signature Authority Bill. Ms. Gladys Hill seconded. Motion carried without objection.

B. Executive Committee

1. Report

A written report was accepted, as information, on the Consensus Agenda.

C. Leadership Institute

1. Report

A written report was accepted, as information, on the Consent Agenda.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from October 26, 2017 to December 29, 2017, the number of open disciplinary cases,

and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Assistant General Counsel Report

A written report on the number of pending cases on the docket of the Assistant General Counsel as of December 28, 2017, was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of December 28, 2017, was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of December 28, 2017, was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on open cases currently assigned to each Nurse Consultant as of December 28, 2017, was accepted, as information, on the Consent Agenda.

6. Probation/Compliance Monitoring Report

A written report on the number of nurses monitored on probation, the number of outstanding probation violations, the number of past due fines, the number of nurses met with for probation and the number of cases resulting in revocation by the Board Order as of December 19, 2017, was accepted, as information, on the Consent Agenda.

E. Policy and Communication Director Report

1. Report

A written report was accepted, as information, on the Consent Agenda.

2. VDAP Campaign 2018

Ms. Benson and Mr. Ingels gave a brief summary of the Voluntary Disciplinary Alternative Program (VDAP) Awareness Campaign for 2018. A copy was accepted, as information, on the Consent Agenda.

F. ANRC Report

The ANRC Activity Report as of December 15, 2017, was accepted, as information, on the Consent Agenda.

G. Research Report

None

H. Quality Measures Report

The Quality Measures Report as of December 27, 2017, was accepted, as information, on the Consent Agenda.

VII EDUCATION

A. Report

A written report on nursing education was accepted, as information, on the Consent Agenda.

B. Education Program Deficiency Report

A written report on education deficiency was accepted, as information, on the Consent Agenda.

C. Fortis College Closure Plan Approval

Ms. Davis reported that Fortis College-Montgomery ADN Program had submitted a teach out plan for Board approval. Fortis College-Montgomery notified the Board of their intent to voluntarily close the ADN program on October 9, 2017. ABN Administrative Code, Rule 610-X-3-.08 (2) states

“The governing institution shall ensure that all standards for nursing education programs are maintained and all necessary courses are taught until the last student is transferred or graduated.”

NCLEX results for Fortis-Montgomery’s ADN Program are summarized below:

YEAR	PERCENTAGE
FY 2015	50.0%
FY 2016	40.9%
FY 2017	35.0%
3 year rolling average	42.39%

Ms. Deborah M. Leveille, Dean of Fortis College-Montgomery gave a brief report of the Teach Out Plan.

On January 19, 2018, Dr. Baker moved that the Board approve Fortis College-Montgomery ADN Program's Teach Out Plan. Ms. Gladys Hill seconded. Motion carried without objection.

VIII. POLICY

A. Revisions of ABN Administrative Code Chapter 610-X-4, "Licensure," Late Renewal

Mr. Ingels reported that for over fifteen years, the Board has required nurses to renew their licenses prior to December 1st of each year, or pay an additional fee for Late Renewal. As the Board has evolved from a paper licensing process to a mandatory electronic process, it may be in order to consider eliminating the Late Renewal period and allowing nurses to participate in Regular Renewal through the license expiration date-December 31st.

On January 19, 2018, Mr. Foote moved that the Board eliminate the late renewal period and approve revisions to 610-X-4.08, "Licensure," to facilitate the change. Dr. Parker seconded. Motion carried without objection.

B. Revisions to ABN Administrative Code Chapter 610-X-2, "Definitions"

Mr. Ingels reported that, as the Board has revised rules related to Education, Licensure, Standards of Nursing Practice, and Continuing Education in recent years, the definitions of certain terms have evolved. Routine ABN staff review of Chapter 2, "Definitions," identified inconsistencies between definitions of terms in Chapter 2 and like terms in Chapters 3, 4, 6, and 10. Accordingly, the staff undertook to bring the identified terms into agreement.

On January 19, 2018, Dr. Baker moved that the Board approve changes to ABN Administrative Code Chapter 2, "Definitions." Mr. Foote seconded. Motion carried without objection.

C. Final Certification of ABN Administrative Code §610-X-4-.16(3), "Special Circumstances," Disaster Temporary Permit.

Mr. Ingels reported that the current rules do not address temporary permits for nurses displaced by disasters in other jurisdictions due to facility closure, evacuation of family, to care for patients transferred to Alabama healthcare facilities.

The Board has previously approved the ABN Disaster Temporary Permit Guideline and \$25.00 fee for Disaster Temporary Permit, but not a rule providing for the permit itself.

On January 19, 2018, Ms. Gladys Hill moved that the Board approve final certification of Alabama Administrative Code 610-X-4-.16(3) Special Circumstances. Dr. Baker seconded. Motion carried without objection.

D. Revisions to ABN Administrative Code Chapter 610-X-4, "Licensure."

Mr. Ingels reported that the Board reviews regulations on a regular basis. Board staff have reviewed the chapter and proposed changes. The proposed changes relate to:

- Defining terminology and clarifying the primary source verification process to comport to current ABN process and National Council of State Board standards.
- Standardizing the Pharmacology CE requirement to apply to all four advanced practice nursing roles.

On January 19, 2018, Mr. Foote moved that the Board approve changes to Alabama Board of Nursing Administrative Code, Chapter 610-X-4 Licensure. Dr. Parker seconded. Motion carried without objection.

E. Final Certification of ABN Administrative Code §610-X-4-.14, "Fees"

Mr. Ingels reported that Rule 610-X-4-.14 requires that the Board review the Fee Schedule at each September Board meeting. The rule specifies that the Board reaffirm the Fee Schedule if no changes are made. There were minor changes in 2014 related to late renewal and reformatting the chapter. The licensure fees for renewal have not increased since 2004. The initial licensure fee has not increased since 1994 for RNs and in 2002 it changed to \$75.00 for LPNs.

A new fee has been added to allow for CRNP/CNMs to submit all requirements for approval except for a collaborative practice application. Once the information is approved they will be classified as "eligible for collaborative practice" on the Board's website. This will allow for expediting collaborative practice application approval.

610-X-5-.07 and .18 Authorization For Practice As A Certified Registered Nurse Practitioner and applies under .18 to the Certified Nurse Midwife

(1) The Board of Nursing may grant a certificate of qualification for advanced practice nursing as a certified registered nurse practitioner to applicants who meet the requirements of 610-X-5-.03.

The new fee for a disaster temporary permit is to cover the cost of services. The 25.00 dollars allows for a reduced permit during the time of critical need.

On January 19, 2018, Dr. Baker moved that the Board approve the final certification of ABN Administrative Code, Rule 610-X-4-.14, “Fes” revision. Ms. Gladys Hill seconded. Motion carried without objection.

F. Final Certification ABN Administrative Code §610-X-5-.09 CRNP Requirements, and ABN Administrative Code §610-X-5-.20 CNM Requirements

Mr. Ingels reported that recent unexpected deaths of physicians have caused the PA and NP departments of the Alabama Board of Medical Examiners (ABME) to seek a change in the rules of the ABME and the Alabama Board of Nursing (ABN). The proposed change will authorize the temporary appointment of a collaborating physician in the event of an unanticipated, permanent absence of a physician in a collaborative agreement.

On January 19, 2018, Dr. Dearmon moved that the Board approve final certification of the Alabama Administrative Code for Nursing, in sections 610-X-5-.09 and .20 for CRNP and CNM, respectively. Ms. Gladys Hill seconded. Motion carried without objection.

IX. ADVANCED PRACTICE

A. Report

A written report was accepted, as information, on the Consent Agenda.

B. Xiaflex Injections for Peyronie’s Disease (Info Only)

A written report was accepted, as information, on the Consent Agenda.

C. Fascia Wound Closure in Extremities (Info Only)

A written report was accepted, as information, on the Consent Agenda.

D. Expanded Midwifery Protocol

Ms. Daniels reported in February 2014, the Joint Committee for Advanced Practice Nursing approved the consolidation of skills into: a) Standard Midwifery and b) Expanded Midwifery Protocols for the Certified Nurse Midwife (CNM).

The Expanded Midwifery Protocol includes two procedures (subdermal contraceptive/hormonal implant, insertion and removal; circumcision) and one ultrasound (OB Limited), that are not included in the Standard Midwifery Protocol. The pelvic and Ob/Gyn ultrasound, endometrial and cervical biopsy, and endocervical curettage are included in both protocols. Subdermal contraceptive/hormonal implant, insertion and removal currently is available for selection from the skill list on the modification application for Standard Protocol. Circumcision and OB limited ultrasound are the two remaining items. Circumcision and OB limited ultrasound will be added to the skill list on the CNM Modification application, up recommendation by the Joint Committee and approval by the ABN and ABME of elimination of the Expanded Midwifery Protocol.

On January 19, 2018, Dr. Parker moved that the Board approve to the elimination of the expanded Midwifery Protocol and move the skill items listed to the individual application. Dr. Baker seconded. Motion carried without objection.

E. Statewide Criteria for Otolaryngology

A written report was accepted, as information, on the Consent Agenda.

F. Critical Care – Advanced Protocols

A written report was accepted, as information, on the Consent Agenda.

X. CONTINUING EDUCATION/LICENSURE/PRACTICE

A. Continuing Education

1. Report

A written report on Continuing Education Providers and CE Activities was accepted, as information, on the Consent Agenda.

B. Licensure

1. Report

A written report on Licensure Data Activity was accepted, as information, on the Consent Agenda.

C. Practice

1. Report

A written report on Standardized Procedure Application Activity was accepted, as information, on the Consent Agenda.

D. Department of Mental Health Annual Action Plan Approval

Ms. Jeter reported the 2016 Alabama Department of Mental Health was submitted to capture the nursing delegation of medication administration overseen by nurses providing care in Alabama mental health residential community programs.

After review of the submitted report Board staff requested the following: An action plan to address medication errors: missed dosages, wrong patients, wrong medications and sentinel events. Identify the staff by type who made the Level II and III errors.

The action plan asked for specific actions the ADMH will implement or has implemented related to report supplied from ADMH:

- Level II (Recipient experienced short term, reversible adverse consequences and treatments or interventions in addition to monitoring and observation)- 26 consumers medication errors
- Level III (Sentinel event)- 3 consumer medication errors

Ms. Vanessa Prater, BSN, RN, Director gave a brief report of the Nurse Delegation Program Action Plan and answered all the Board's questions.

On January 19, 2018, Ms. Gladys Hill moved that the Board accept the submitted action plan for the Alabama Department of Mental Health Residential Community Nurse Delegation Program and request a copy of the Education Plan revisions and additional information for their error documentation process and policies. Dr. Baker seconded. Motion carried without objection.

XI. NCSBN / NCLEX

None

XII. BOARD TRAVEL/REPORTS

A. 2018 Midyear Meeting March 5-7, 2018, Chicago IL

Dr. Valorie Dearmon, DNP; Ms. Gladys Davis Hill, MSN, RN; Ms. Cheryl Bailey, BSN, MBA; Ms. Cynthia Buford, LPN; Ms. Cara Floyd, LPN; Ms. Peggy Benson, MSHA, MSN, NE-BC; and Ms. Barbara Bartley, RN, BSN, MSCHD will be attending the 2018 Midyear Meeting in Chicago, IL on March 5-7, 2018.

B. 2018 NCSBN APRN Roundtable April 10, 2018, Rosemont, IL

Dr. Natalie Baker, DNP, CRNP, FAANP; and Ms. Janice Seip, CRNA will be attending the 2018 NCSBN APRN Roundtable in Rosemont, IL on April 10, 2018.

C. 2018 ANA Quality and Innovation Conference, March 21-23, Orlando, FL

Ms. Cheryl Bailey, BSN, MBA will be attending the 2018 ANA Quality and Innovation Conference in Orlando, FL on March 21-23, 2018.

XIII. DISCIPLINARY CASES – Executive Session, January 19, 2017 @ 8:30 a.m.

On January 19, 2018, Dr. Dearmon moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Dr. Baker seconded. Motion carried with all in favor (Cara Floyd, Francine Parker, Richard Foote, Peggy Carpenter, Janice Seip, Gladys Hill, Cynthia Buford, Victoria Hill, and Cherry Rodgers).

Ms. Bailey estimated that the Board would reconvene in open session at approximately 12:45 p.m.

The Board reconvened in open session at 12:33 p.m. and voted on the Consent Orders.

A. CONSENT ORDERS

SUSPENSIONS AND/OR PROBATIONS

1. Wilcoxon, Sharon Denise – RN 1-099818 (Active); LPN 2-048473 (Lapsed)

Ms. Wilcoxon signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations, and require her to pay a \$300.00 fine and document completion of a course on Understanding Substance

Use Disorder in Nursing. To the extent Ms. Wilcoxon has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

2. Burke, Robin Michelle – RN Endorsement Applicant

Ms. Burke signed a Consent Order that would approve her RN endorsement application, and when licensed place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations, and require her to pay a \$300.00 fine, and document completion of a course on Understanding Substance Use Disorder in Nursing.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

3. Johnson, Doreen Ann – RN Endorsement Applicant

Ms. Johnson signed a Consent Order that would approve her RN endorsement application, and when licensed place her RN license on probation with the usual practice release stipulations for a period to run concurrently with the Florida Board of Nursing's probation subject to the following (a) must notify the Board in writing of any change in mailing or physical address, email address or phone number; (b) payment of a \$300.00 fine; (c) satisfactory documented completion of courses on Medication Errors: Causes and Prevention and Professional Accountability and Legal Liability for Nurses; and (d) receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

4. Shyngle, Adellaide Olive – RN 1-131511 (Lapsed); LPN 2-059360 (Lapsed)

Ms. Shyngle signed a Consent Order that would indefinitely suspend her RN license, and make her ineligible for reinstatement of her RN license in the state of Alabama until such time as evidence of an unencumbered license in all states. Ms.

Shyngle cannot practice in the state of Alabama until Alabama licensure has been reinstated in accordance with the Alabama Board of Nursing Administrative Code and she must provide receipt of employer notification. Ms. Shyngle has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

5. Bell, Rachel Johnson – RN 1-096497 (Active)

Ms. Bell signed a Consent Order that would place her RN license on probation until payment of a \$1,000.00 fine, documented completion of a course on Professional Accountability and Legal Liability for Nurses, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

6. Glaude, Mark Da Rell – RN 1-103785 (Board Lapsed)

Mr. Glaude signed a Consent Order that would approve his RN reinstatement application, when licensed place his RN license on probation for sixty (60) months with the usual substance use disorder stipulations, and require him to pay a \$500.00 fine.

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Consent Order. Dr. Baker seconded. Motion carried without objection.

7. Sword, Susan Rae – RN 1-091432 (Active/Probation)

Ms. Sword signed a Consent Order that would terminate her September 22, 2017 Board Order and suspend her RN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random monthly drug screens; (e) contact information for individual counselor, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Disciplinary Actions: What Every Nurse Should Know; and (h) payment of appropriate fees. Should Ms. Sword be deemed in need of treatment and upon

documented completion of the above terms, her RN license will be on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$500.00 fine. If not deemed to be in need of treatment, Ms. Sword's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$500.00. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Sword's licensure status will be considered as and listed as revoked.

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Consent Order. Dr. Baker seconded. Motion carried without objection.

8. Moore, Misty Marlene – LPN 2-050077 (Active)

Ms. Moore signed a Consent Order that would suspend her LPN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random monthly drug screens; (e) contact information for individual counselor, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Ethics of Nursing, Professional Accountability and Legal Liability for Nurses and Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (h) payment of appropriate fees. Should Ms. Moore be deemed in need of treatment and upon documented completion of the above terms, her LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed in need of treatment, Ms. Moore's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Moore's licensure status will be considered as and listed as revoked.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Buford seconded. Motion carried without objection.

9. Ray, Scarlett Hope – LPN 2-064118 (Active)

Ms. Ray signed a Consent Order that would suspend her LPN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random monthly drug screens; (e) contact information for individual counselor, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Righting a Wrong Ethics and Professionalism in Nursing and Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (h) payment of appropriate fees. Should Ms. Ray be deemed in need of treatment and upon documented completion of the above terms, her LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Ray's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Ray's licensure status will be considered as and listed as revoked.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Buford seconded. Motion carried without objection.

10. Rios, Cheryl Darlene – LPN 2-063649 (Active)

Ms. Rios signed a Consent Order that would suspend her LPN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random monthly drug screens; (e) active participation in abstinence-oriented support group meetings, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Elder Abuse, Ethics of Nursing, Professional Accountability and Legal Liability for Nurses and Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (h) payment of appropriate fees. Should Ms. Rios be deemed in need of treatment and upon documented completion of the above

terms, her LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she is required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Rios's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she is required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Rios licensure status will be considered as and listed as revoked.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Buford seconded. Motion carried without objection.

11. Allen, Erin Mikel – RN 1-155959 (Active)

Ms. Allen signed a Consent Order that would suspend her RN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random drug screens; (e) contact information for individual counselor, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Documentation-A Critical Aspect of Client Care and Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (h) payment of appropriate fees. Should Ms. Allen be deemed in need of treatment and upon documented completion of the above terms, her RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Allen's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Allen's licensure status will be considered as and listed as revoked.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

12. Connell, Judy Spradlin – LPN 2-031970 (Active)

Ms. Connell signed a Consent Order that would place her LPN license on probation until payment of a \$600.00 fine, documented completion of courses on Documentation-A Critical Aspect of Client Care, Ethics of Nursing and Professional Accountability and Legal Liability for Nurses, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

13. Gidimadjor, Vivian Elaine – LPN 2-047559 (Active)

Ms. Gidimadjor signed a Consent Order that would suspend her LPN license until payment of a \$300.00 fine, successful documented completion of courses on Documentation-A Critical Aspect of Client Care, Ethics of Nursing and Professional Accountability and Legal Liability for Nurses, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

14. Hall, Rachel Hoffman – RN 1-157496 (Active)

Ms. Hall signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require her to pay a \$300.00 fine and document completion of courses on Documentation- A Critical Aspect of Client Care, Professional Accountability and Legal Liability for Nurses and Understanding Substance Use Disorder in Nursing.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

15. Hart, Matthew Dennis – LPN 2-065324 (Active)

Mr. Hart signed a Consent Order that would place his LPN license on probation until payment of a \$300.00 fine, documented completion of courses on Documentation-A Critical Aspect of Client Care and Understanding Substance Use Disorder in Nursing, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

16. Higginbotham, Traci Fowler – RN 1-131304 (Active), CRNP

Ms. Higginbotham signed a Consent order that would place her RN license on probation until payment of a fine of \$300.00, documented completion of courses on Documentation-A Critical Aspect of Client Care and Medication Errors: Causes and Prevention, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

17. Hodges, Ronnesha Tamikka – RN 1-133447 (Active); LPN 2-060956 (Lapsed)

Ms. Hodges signed a Consent Order that would place her RN license on probation until payment of a \$300.00 fine, documented completion of courses on Professional Accountability and Legal Liability for Nurses and Sharpening Critical Thinking Skills, and receipt of employer notification. To the extent Ms. Hodges has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

18. Mitchell, Shannon Delise – LPN 2-058824 (Active)

Ms. Mitchell signed a Consent Order that would place her LPN license on probation until payment of a \$300.00 fine, documented completion of courses on Documentation – A Critical Aspect of Client Care, Medication Errors: Causes and Prevention and Righting a Wrong Ethics and Professionalism in Nursing, and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

19. Riggins, Lachrisha Ann – RN 1-143485 (Active)

Ms. Riggins signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations, require her to pay a \$300.00 fine and document completion of courses on Documentation – A Critical Aspect of Client Care and Understanding Substance Use Disorder in Nursing.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

20. Tita, Ozong Mofor – RN 1-104698 (Active)

Ms. Tita signed a Consent Order that would place her RN license on probation until payment of a \$300.00 fine, documented completion of courses on Documentation – A Critical Aspect of Client Care, Ethics of Nursing and Professional Accountability and Legal Liability for Nurses and receipt of employer notification.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

21. Weeks, Mary Etta – LPN 2-025587 (Active)

Ms. Weeks signed a Consent Order that would place her LPN license on probation for twelve (12) months with the usual practice stipulations and require her to pay a \$300.00 fine and documented completion of courses on Documentation – A Critical Aspect of Client Care and Medication Errors: Causes and Prevention.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

22. Jones, Katherine Dismukes – RN 1-135276 (Active)

Ms. Jones signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual practice related stipulations and require her to pay a \$300.00 fine and documented completion of courses on Documentation – A Critical Aspect of Client Care, Patient Privacy and Professional Accountability and Legal Liability for Nurses.

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

23. Paul, Misty Ann – RN 1-128946 (Active)

Ms. Paul signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require her to pay a \$300.00 fine and documented completion of courses on Professional Accountability and Legal Liability for Nurses and Understanding Substance Use Disorder in Nursing.

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

24. Rushing, Mary Louann – LPN 2-061768 (Active)

Ms. Rushing signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

25. Conrad, Jodena Irene – RN Endorsement Applicant

Ms. Conrad was deleted from the agenda.

26. Blackmon, Debra L – RN 1-078912 (Lapsed); LPN 2-039665 (Lapsed)

Ms. Blackmon signed a Consent Order that would approve her application for reinstatement of a lapsed RN license and issue her a public reprimand and require her to pay a \$300.00 fine. To the extent Ms. Blackmon has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

27. Davis, Krista – RN 1-074496 (Lapsed)

Ms. Davis signed a Consent Order that would approve her

application for reinstatement of a lapsed RN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

28. Easley, Nedra Nadine – RN Exam Applicant

Ms. Easley signed a Consent Order that would approve her to take the NCLEX-RN exam and if successful, issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

29. Fleeton, Selena Sewell – RN 1-093920 (Active); LPN 2-042017 (Lapsed)

Ms. Fleeton signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

30. McIntyre, Lisa Ranee – RN Endorsement Applicant

Ms. McIntyre signed a Consent Order that would approve her RN endorsement application, and when licensed issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

31. Pierce, Thomas Harold – RN 1-040035 (Lapsed)

Mr. Pierce signed a Consent Order that would approve him application for reinstatement of a lapsed RN license and issue him a public reprimand and require him to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

32. Schafer, Deborah Esther – RN 1-070842 (Lapsed)

Ms. Schafer signed a Consent Order that would approve her application for reinstatement of a lapsed RN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded.

After discussion, Dr. Baker amended her motion her motion and Ms. Gladys Hill agreed to the amended motion.

On January 19, 2018, Dr. Baker moved that the Board reject the first Consent Order and approve Ms. Schafer's application for reinstatement of a lapsed RN license and issue her a public reprimand and require her to pay a \$600.00 fine. Ms. Gladys Hill seconded. Motion carried without objection.

33. Scott, Rhonda Lee – RN 1-067142 (Lapsed)

Ms. Scott signed a Consent Order that would approve her application for reinstatement of a lapsed RN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

34. Wilborn, Tarsha Tremease – RN Exam Applicant; LPN 2-061204 (Active)

Ms. Wilborn signed a Consent Order that would approve her to take the NCLEX-RN exam and if successful, issue her a public reprimand and require her to pay a \$600.00 fine. To the extent Ms. Wilborn has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

35. Wilkinson, Charles Leonard – RN 1-122615 (Lapsed)

Mr. Wilkinson signed a Consent Order that would approve his application for reinstatement of a lapsed RN license and issue

him a public reprimand and require him to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

36. Davis, Johiquelle Denise – LPN Exam Applicant

Ms. Davis signed a Consent Order that would issue her LPN license, when issued, reprimanded, and she is required to pay a \$800.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

37. Rembert, Aretha Renee – RN 1-082442 (Active); LPN 2-036904 (Lapsed)

Ms. Rembert signed a Consent Order that would issue her a public reprimand and require her to pay a \$700.00 fine. To the extent, Ms. Rembert has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

38. Colbert, Katie Provost – LPN 2-063544 (Active)

Ms. Colbert signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Victoria Hill seconded. Motion carried without objection.

39. Bodin, Christy Marlene – RN 1-092199 (Active); LPN 2-041518 (Lapsed)

Ms. Bodin signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine. To the extent, Ms. Bodin has an LPN license; said license shall be subject to the same terms and conditions.

On January 19, 2018, Dr. Baker moved that the Board accept

the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

40. Enfinger, Alisa Putman – RN 1-134681 (Active)

Ms. Enfinger signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board to accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

41. Voltz, Nancy Louise – LPN 2-064188 (Active)

Ms. Voltz signed a Consent Order that would issue her a public reprimand and require her to pay \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

B. REINSTATEMENT – CONSENT ORDERS

1. Carter-Allen, Jocelyn Janae – LPN 2-051889 (Revoked)

Ms. Carter-Allen signed a Consent Order that would approve her reinstatement of a revoked LPN license application and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

2. Courington, Jason Marcus – RN 1-105875 (Revoked)

Mr. Courington signed a Consent Order that would approve him reinstatement of a revoked RN license with no sanctions.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

3. Henry, Tonya Salvagio – RN 1-143799 (Revoked)

Ms. Henry signed a Consent Order that would approve her

reinstatement of a revoked RN license application and issue her a public reprimand and require her to pay a \$600.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

4. McInnis, Clayton Andrew – RN 1-080938 (Revoked)

Mr. McInnis signed a Consent Order that would approve him reinstatement of a revoked RN license application and issue him a public reprimand and require him to pay a \$300.00 fine.

On January 19, 2018, Ms. Victoria Hill recused herself from the discussion and vote concerning Mr. McInnis.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

5. Tate, Julie Lashawn – RN 1-104824 (Revoked)

Ms. Tate signed a Consent Order that would approve her reinstatement of a revoked license application and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

6. Willingham, Timothy Daniel – RN 1-104541 (Revoked)

Mr. Willingham signed a Consent Order that would approve his reinstatement of a revoked license application and place his RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require him to pay a \$1,000.00.

On January 19, 2018, Dr. Baker moved that the Board accept the Consent Order. Ms. Gladys Hill seconded. Motion carried without objection.

C. **FORMAL HEARINGS**

On January 19, 2018, Dr. Dearmon moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate

and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Victoria Hill seconded. Motion carried with all in favor: (Cara Floyd, Francine Parker, Richard Foote, Natalie Baker, Peggy Carpenter, Janice Seip, Gladys Hill, Cynthia Buford, and Cherry Rodgers).

Ms. Bailey reported that the Board would reconvene in open session at approximately 1:15 p.m.

The Board reconvened to open session at 1:13 p.m.

1. Brewer, Donna Leah – LPN 2-058781 (Lapsed)

On January 19, 2018, Dr. Dearmon moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Brewer's LPN license. Ms. Victoria Hill seconded. Motion carried without objection.

2. Clay, Courtney Johnston – RN 1-152148 (Lapsed)

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Clay's RN license. Dr. Dearmon seconded. Motion carried without objection.

3. Delong, Sandra Lee – RN 1-135481 (Active)

On January 19, 2018, Mr. Foote moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Delong's RN license. Dr. Baker seconded. Motion carried without objection.

4. Desmond, Nicholas John – RN 1-078006 (Lapsed)

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Desmond's RN license. Mr. Foote seconded. Motion carried without objection.

5. Glover, Melissa Ann – RN 1-101818 (Lapsed)

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Findings of Fact, Conclusions of Law, and the

Recommendation of the Hearing Officer, and suspend Ms. Glover's RN license. Ms. Glover is not eligible for reinstatement of licensure to practice nursing in Alabama until such time as evidence of an unencumbered license in all states. Ms. Glover cannot practice in the state of Alabama until Alabama licensure has been reinstated in accordance with the Alabama Board of Nursing Administrative Code. Ms. Floyd seconded. Motion carried without objection.

6. Hackney, Patricia Jean – RN 1-087581 (Active)

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hackney's RN license. Ms. Floyd seconded. Motion carried without objection.

7. Holderfield, Phillis Mae – RN 1-121156 (Lapsed)

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Holderfield's RN license. Ms. Gladys Hill seconded. Motion carried without objection.

8. Jackson, Kimberly E. – LPN 2-068208 (Lapsed)

On January 19, 2018, Ms. Floyd moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Jackson's LPN license. Dr. Dearmon seconded. Motion carried without objection.

9. Kimbrough, Mallory Anne – RN 1-127371 (Lapsed)

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Kimbrough's RN license until payment of a \$1,000.00 fine, documented completion of courses on Understanding Substance Use Disorder in Nursing and Medication Errors: Detection and Prevention, and receipt of employer notification. In no event will this period of suspension extend beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Kimbrough's RN licensure status will be considered

as and listed as revoked. Upon reinstatement, Ms. Kimbrough's RN license will be placed on probation for sixty (60) months with the usual practice stipulations. Ms. Gladys Hill seconded.

After discussion, Ms. Buford amended her motion and Ms. Gladys Hill agreed to the amended motion.

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, but reject the Recommendation of the Hearing Officer and suspend Ms. Kimbrough's RN license until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) participation in an aftercare program, if treatment is recommended; (d) negative random monthly drug screens; (e) contact information for individual counselor, if recommended; (f) accrual of requisite continuing education contact hours; (g) completion of required courses on Understanding Substance Use Disorder in Nursing and Medication Errors: Detection and Prevention, if not deemed in need of treatment; and (h) payment of appropriate fees. Should Ms. Kimbrough be deemed in need of treatment and upon documented completion of the above terms, Ms. Kimbrough's RN license will be placed on probation for sixty (60) months with the practice stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Kimbrough's RN license will be placed on probation for sixty (60) months with the usual practice stipulations and she will be required to pay a \$1,000.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Kimbrough's licensure status will be considered as and listed as revoked. Ms. Gladys Hill seconded. Motion carried without objection.

10. Knight, Cassandra – LPN 2-059473 (Active)

On January 19, 2018, Ms. Victoria Hill moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Knight's LPN license. Ms. Floyd seconded. Motion carried with Dr. Baker opposed.

11. Lightsey, Christy Lynn – RN 1-103824 (Lapsed)

On January 19, 2018, Dr. Dearmon moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Lightsey's application for reinstatement of her lapsed RN license. Ms. Gladys Hill seconded. Motion carried without objection.

12. May, Genifer Rae – RN Endorsement Applicant

On January 19, 2018, Mr. Foote moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. May's application for licensure as a registered nurse by endorsement. Dr. Parker seconded. Motion carried without objection.

13. McDonald, Florence Yvonne – RN Endorsement Applicant

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. McDonald's application for licensure as a registered nurse by endorsement. Ms. Floyd seconded. Motion carried without objection.

14. Waltman, Anna Marie – RN 1-136273 (Active); LPN 2-055510 (Lapsed)

On January 19, 2018, Dr. Baker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Waltman's RN license until completion of: (a) documentation of completion of a required evaluation and treatment, if recommended; (b) initial participation in an aftercare program, if recommended; and (c) documented completion of courses on alcohol/substance use disorder, if treatment is not recommended. Should Ms. Waltman fail to meet the aforementioned requirements within eleven (11) months, her licensure status shall be considered as and listed as revoked. To the extent, Ms. Waltman has an LPN license; said license shall be subject to the same terms and conditions. Should Ms. Waltman be deemed in need of treatment and upon documented completion of the above terms, her RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and

she will be required to pay a \$500.00 fine. if not deemed to be in need of treatment, Ms. Waltman's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$500.00 fine. Dr. Parker seconded. Motion carried without objection.

15. Walton, Sharon Lynne – RN 1-036595 (Active/Probation)

On January 19, 2018, Dr. Baker recused herself from the discussion and vote on Ms. Sharon Lynne Walton.

On January 19, 2018, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Walton's RN license until receipt of documentation of: (a) successful completion of the initial phase of a treatment program; (b) initial participation in an aftercare program; (c) negative random monthly drug screens; (d) active participation in abstinence-oriented support group meetings; (e) accrual of requisite continuing education contact hours; and (f) payment of appropriate fees. Upon receipt of the above, Ms. Walton's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$500.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Walton's licensure status will be considered as and listed as revoked. Ms. Floyd seconded. Motion carried without objection.

D. REQUEST FOR REHEARING

1. Kittrell, Frances Nichole – RN 1-129142 (Revoked)

On January 19, 2018, Dr. Baker moved that the Board deny Ms. Kittrell's request for a rehearing. Ms. Seip seconded. Motion carried without objection.

XV. NEXT MEETING DATE: March 16, 2018, 770 Washington Ave., RSA Plaza, Suite 350

XVI. OTHER

- A. Selection of 2 Delegates to NCSBN Mid-Year Meeting

Ms. Benson reported that the Alabama Board of Nursing is a member of

the National Council of State Boards of Nursing, Inc., (NCSBN). A requirement for membership is using the National Council Licensure Examination (NCLEX) for applicants for licensure. The business meeting of NCSBN Mid-Year occurs. Each board is allowed two delegates to vote on issues that come before the Delegate Assembly. Two alternate delegates are selected in the event one or both delegates are not available to vote during the Mid-Year Meeting.

The main benefit of electing delegates and alternates now is that, when NCSBN asks, the names of the delegates and alternates can be provided immediately. In addition, the delegates and alternates can review the recommendations for the Delegate Assembly prior to the meeting.

On January 19, 2018, Ms. Gladys Hill moved that the Board appoint Dr. Dearmon, DNP and Executive Officer, Ms. Benson, MSHA, MSN, NE-BC as the two delegates to represent the Board at the 2018 NCSBN Mid-Year Meeting. Ms. Buford seconded. Motion carried without objection.

On January 19, 2018, Dr. Parker moved that the Board appoint Ms. Gladys Davis Hill, MSN, RN and Ms. Cynthia Buford, LPN as the two delegate alternates to represent the Board at the 2018 NCSBN Mid-Year Meeting. Dr. Baker seconded. Motion carried without objection.

B. EO Evaluation for January 2018 Report to Board and Next Steps

Ms. Bailey gave a brief report of Ms. Benson's evaluation which was reviewed with Ms. Benson on January 18, 2018.

Ms. Henley gave a report related to Cheryl Bailey, Board President's request to review the Boards statutory authority to set and fix the salary of the executive officer as other boards who have similar statutes. Ms. Henley indicated that the next step would be to obtain an Attorney General's Opinion related the ABN statutory authority.

The Board reviewed and discussed Ms. Benson's compensation.

On January 19, 2018, Dr. Baker moved that the Board approve resolution requesting the Alabama Attorney General to answer the following questions: Does Code of Alabama 34-21-2(j)(13), which specifically authorizes the Alabama Board of Nursing to "[a]ppoint and employ a qualified person, not subject to the state Merit System, who shall not be a member of the board as Executive Officer" and "[d]efine the duties and fix the compensation for the Executive Officer, ' (emphasis added) permit the Nursing Board to fix the compensation of the Board's Executive Officer without regard to the

requirements of Section 36-6-6 of the Code of Alabama? And If Section 36-6-6 of the Code of Alabama applies to the Alabama Nursing Board's Executive Officer position, is the State Personnel Board authorized to assign the Nursing Board's Executive Officer position to a pay grade within the State's pay plan? Dr. Parker seconded. Motion carried without objection.

- C. Pending Attorney General favorable opinion retaining to the Alabama Board of Nursing having statutory authority to set the compensation of the Executive Officer.

On January 19, 2018, Dr. Dearmon moved that the Board approve Ms. Benson's salary be immediately adjusted to \$155,00.00, if the Attorney General rules the Alabama Board of Nursing Board Members has statutory authority to set Ms. Benson's compensation. Ms. Gladys Hill seconded. Motion carried without objection.

- D. Reminder Ethics Commission Statement of economic interest Due no later than May 2018

Ms. Benson reminded the Board members of the Ethics Commission State of economic interest is due no later than May 2018.

XVII. BOARD MEETING DEBRIEFING

- A. New Board Members (How can we help?)

Ms. Seip wanted to know how to get more involved in other Board's under the Alabama Board of Nursing.

Ms. Seip agreed to serve as a member of the ABN APRN Advisory Council as the CRNA representative of the Board.

- B. Meeting Process: What can we improve/change?

- C. Ms. Benson reported that she will appoint Ms. Barbara Bartley as the Deputy Director.

XVIII. ADJOURNMENT

The ABN Board meeting adjourned at 1:39 p.m. on January 19, 2018.

Cheryl Bailey, BSN, MBA
President

Victoria Hill, MSN, RN
Secretary

Submitted by _____
Tonya Smith Recorder 01/19